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Submitted to:

Maryland House of Delegates, Senate Finance Committee
Annapolis, MD - March 8, 2023

Testimony from the Maryland State Chapter of the
National Organization for the Reform of Marijuana Laws (NORML)

Favorable with Amendments: SB0516 (Cannabis Reform)

“If I can’t grow my own cannabis, it’s not actually legal.”
- Maryland adult, veteran, husband, father, and state-agency employee

Disclaimer: Maryland NORML has no paid staff – we are entirely energized by a core group of citizen volunteers and more than 5,000 other Marylanders committed to ending marijuana prohibition and establishing a regulated cannabis commercial market for adults who choose to use marijuana responsibly. I do not now and never have had any stake or investment of any kind in any cannabis enterprise, nor does anyone in my family, and I have never received any fee or remuneration for consulting with any cannabis enterprise. As an organization, we have worked to reform state and federal marijuana laws for more than 50 years.

We request the following AMENDMENTS to SB0556 before favorable consideration:

1. Align medical and adult-use cannabis possession and home cultivation protections (36–302(B), (G), strike “A qualifying patient” and insert “An adult”). In current form, this bill establishes two different enforcement standards for Maryland adults: one for “qualifying patients” and a different standard for all other adults. This two-tiered system increases enforcement complexity and disparate treatment – it leads police officers to ask intrusive personal medical questions, advantages financially secure adults who are easily able to meet the “qualifying patient” standard, and severely disadvantages low-income adults who are less likely to work with a doctor or pay the necessary medical enrollment or legal defense fees. A uniform “personal use” standard for all adults across the state is easier for everyone involved and would put Maryland on par with VA and DC – **failure to make this change would leave Maryland citizens under the most punitive system in the region with the highest risk of avoidable police encounters.**

2. The law must also clarify that employees cannot be fired exclusively for a positive cannabis drug test; legally using cannabis when not on-the-clock must not be grounds for dismissal. Employers may fire an employee for the normal reasons, but employees should not be punished simply for having legally consumed cannabis during personal time. This will also prevent deaths by helping Marylanders take advantage of the legal medical cannabis program instead of using deadly opioids.



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3. Cottage industry production is an American tradition and has been part of the Maryland economy since time immemorial – the law must allow jurisdictions to license very small “cottage industry” cannabis producers (up to 1,500 square feet) who would then have their cannabis tested, processed, labeled, and sold by state-licensed and regulated businesses. We do not advocate for unregulated craft producers, but citizens who wish to produce cannabis in small, “craft” batches and bring it to consumers through the legal, regulated market should have access to a business license, not jail time. Many of our state licensed dispensaries support this program because it allows them to partner with local producers, carry unique products, and helps eliminate unregulated activity. Individuals who wish to “come out of the shadows” will do so if given the opportunity to “get right with the law.” Providing eager, aspiring growers with a legal pathway to “give it a try” is *essential* for eliminating the illicit market because it gives them a way to put their surplus under a regulated point-of-sale instead of falling into the temptation of making unregulated sales. These small “cottage industry” craft producers are hobbyists, not traffickers, and would not jeopardize the financial stability of larger state licensees authorized to produce up to 10,000 square feet or larger. (36-405, insert “(3) establish reasonable licensing programs for cottage-industry cannabis cultivation by residents, not to exceed 1,500 sq feet of total indoor and outdoor canopy.)

With these amendments in mind, we request favorable consideration.

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M. Luke Jones, Maryland NORML